

## **REMARKS**

Applicants respectfully request consideration of the subject application as amended herein. This Amendment is submitted in response to the Final Office Action mailed on January 2, 2008. Claims 1-7 and 10-16, 18-26, 29 and 30 are rejected. In this Amendment, claims 1, 15, 29 and 30 have been amended. No new claims have been added. No new matter has been added. No claims have been canceled. Therefore, claims 1-7, 10-16, 18-26, 29 and 30 are presented for examination.

### **Summary of Rejections under 35 U.S.C. § 103(a)**

Claims 1-3 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman et al, (U.S. Pub. No. 2002/0194414, hereinafter “Bateman”) in view of Sate et al., (U.S. Patent No. 7,265,779), further in view of Yamada et al., (U.S. Patent No. 6,239,837, hereinafter “Yamada”) and further in view of Terakado et al., (U.S. Pub. No. 2002/0001042, hereinafter “Terakado”).

Claims 4-5, 7, and 10-14 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada in view of Terakado and in further view of Okada (U.S. Patent No. 6,630,954, hereinafter “Okada”).

Claims 15, 18, 21-22 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada.

Claims 16-17, 19-20, 23-24, and 26-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada and in further view of Okada.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman in view of Yamada and further in view of Terakado.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman in

view of Yamada in view of Terakado and further in view of Jackel et al., (U.S. Pub. No. 2003/0133015).

#### Claims 1-14

Claims 1-3 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada and further in view of Terakado.

The current Office Action states that Bateman fails to disclose: “establishing a wireless network connection between [a] data capture device and [a] remote host device via [a] pipeline device, wherein the pipeline device enables communication between the data capture device and the remote host device without installation of dedicated software on the pipeline device or the remote host device for enabling said communication.” The Examiner cites Sato as teaching such a limitation.

Sato teaches establishing a connection between a digital camera and a mobile phone, and establishing a connection between the mobile phone and a server. (Sato, col. 4, lines 55-63). However, Sato is silent regarding whether dedicated software is necessary on the mobile phone or the server to establish such connections. Therefore, it appears that Examiner is relying on the principle of inherency to assert that the mobile phone and the Server in Sato are capable of establishing such connections without the use of dedicated software. The Examiner has provided no factual basis or technical rationale to support an argument that the missing elements are necessarily present in Sato, and that one of skill in the art would recognize the missing elements as present, which is required to establish inherency. Indeed, since Sato is completely silent on the subject of software, there is no factual basis for the Examiner’s assertion.

Therefore, applicants respectfully submit that the combination of Bateman, Sato, Yamada and Terakado fails to teach or suggest, “automatically establishing a wireless network connection between the data capture device and a remote host device that is capable of communication with said data capture device via the pipeline device, wherein the pipeline device enables communication between the data capture device and the remote host device without installation of dedicated software on the pipeline device or the remote host device for enabling said communication.”

Moreover, the current Office Action also states that Bateman fails to disclose “establishing a connection between the data capture device and a pipeline device.” Therefore, Bateman cannot teach providing a notification that a connection between the data capture device and such a pipeline device has been established. Sato also fails to teach providing a notification that a connection between a data capture device and a pipeline device has been established. Moreover, neither Yamada nor Terakado teach such a limitation. In contrast, as amended claim 1 recites, “providing notification that the connection between the data capture device and the pipeline device has been established.” Such a limitation is not taught or suggested by the combination of Bateman, Sato, Yamada and Terakado.

Furthermore, claim 1 has also been amended to recite, “wherein said data capture device is preconfigured to establish the wireless network connection with the remote host device via the pipeline device upon establishing the connection with the pipeline device.” As discussed above, Bateman fails to disclose such a pipeline device. Moreover, Bateman also fails to disclose that the data capture device is preconfigured to establish a connection with a specific remote host device. Sato teaches that the user designates a desired communication connecting destination to which the digital camera will connect through the mobile phone. (Sato, col. 5, lines 35-38). Sato also teaches that the mobile phone can be automatically

connected to a nearest server. (Sato, col. 5, lines 43-48). However, Sato fails to teach that the digital camera is preconfigured to establish a connection with a specific remote host device. Moreover, neither Yamada nor Terakado teach such a limitation. Therefore, applicants respectfully submit that the combination of Bateman, Sato, Yamada and Terakado fails to teach or suggest, “wherein said data capture device is preconfigured to establish the wireless network connection with the remote host device via the pipeline device upon establishing the connection with the pipeline device.”

Finally, claim 1 has also been amended to recite, “automatically providing notification that said transfer of information from said data capture device, through said pipeline device, to said remote host device is in process.” The current Office Action indicates that the combination of Bateman and Sato fails to teach such a limitation. Yamada teaches inserting an auxiliary memory card into a digital camera, and transferring files between the auxiliary memory card and the digital camera. Yamada fails to teach or suggest establishing a connection from a data capture device, through a pipeline device, to a remote host. Therefore, Yamada cannot teach providing a notification that a transfer of information from a data capture device, through a pipeline device, to a remote host device is in process. Moreover, this limitation is also missing from Terakado. Accordingly, applicants respectfully submit that the combination of Bateman, Sato, Yamada and Terakado fails to teach or suggest “automatically providing notification that said transfer of information from said data capture device, through said pipeline device, to said remote host device is in process.”

For at least the above reasons, the combination of Bateman, Sato, Yamada and Terakado fails to teach or suggest all of the limitations that are included in the following language of claim 1:

...providing notification that the connection between the data capture device and the pipeline device has been established;

automatically establishing a wireless network connection between the data capture device and a remote host device that is capable of communication with said data capture device via the pipeline device, wherein the pipeline device enables communication between the data capture device and the remote host device without installation of dedicated software on the pipeline device or the remote host device for enabling said communication, wherein said data capture device is preconfigured to establish the wireless network connection with the remote host device via the pipeline device upon establishing the connection with the pipeline device;

upon establishing the wireless network connection, automatically verifying that the wireless network connection has been established between said data capture device and said remote host device and automatically initiating an immediate transfer of information from said data capture device, through said pipeline device, to said remote host device;

automatically providing notification that said transfer of information from said data capture device, through said pipeline device, to said remote host device is in process ...

Therefore, applicants respectfully assert that claim 1 and its associated dependent claims are in a condition for allowance, and request that the Examiner remove his rejection under 35 U.S.C. § 103(a).

#### Claims 15-26

Claims 15, 18, 21-22 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bateman in view of Sato in view of Yamada.

The current Office Action acknowledges that Bateman fails to disclose: “establishing a wireless network connection between [a] data capture device and [a] remote host device via [a] pipeline device, wherein the pipeline device enables communication between the data capture device and the remote host device without installation of dedicated software on the pipeline device or the remote host device for enabling said communication.” The Examiner cites Sato as teaching such a limitation.

As noted above, Sato is completely silent on the subject of software. Yamada teaches inserting an auxiliary memory card into a digital camera, and transferring files between the auxiliary memory card and the digital camera. Yamada fails to teach or suggest establishing a connection from a data capture device, through a pipeline device, to a remote host.

Therefore, applicants respectfully submit that the combination of Bateman, Sato and Yamada fails to teach or suggest, “establishing a wireless network connection between the first device and a second device via the pipeline device, wherein the pipeline device enables communication between the first device and the second device without installation of dedicated software on the pipeline device or the second device for enabling said communication.”

Moreover, the current Office Action also acknowledges that Bateman fails to disclose “establishing a connection between the data capture device and a pipeline device.” Therefore, Bateman cannot teach providing a notification that a connection between the data capture device and such a pipeline device has been established. Sato also fails to teach providing a notification that a connection between a first device and a pipeline device has been established. Moreover, Yamada also fails to teach such a limitation. In contrast, claim 15 as amended recites “providing notification that the connection between the first device and the pipeline device has been established.” Such a limitation is not taught or suggested by the combination of Bateman, Sato and Yamada.

Furthermore, claim 15 has also been amended to recite, “wherein said first device is preconfigured to establish the wireless network connection with the second device via the pipeline device upon establishing the connection with the pipeline device.” As discussed above, Bateman fails to disclose such a pipeline device. Moreover, Bateman also fails to disclose that a first device is preconfigured to establish a connection with a specific second

device. Sato teaches that the user designates a desired communication connecting destination to which the digital camera will connect through the mobile phone. (Sato, col. 5, lines 35-38). Sato also teaches that the mobile phone can be automatically connected to a nearest server. (Sato, col. 5, lines 43-48). However, Sato fails to teach that the digital camera is preconfigured to establish a connection with a specific remote host device. Moreover, Yamada also fails to teach such a limitation. Therefore, applicants respectfully submit that the combination of Bateman, Sato and Yamada fails to teach or suggest, “wherein said first device is preconfigured to establish the wireless network connection with the second device via the pipeline device upon establishing the connection with the pipeline device.”

For at least the above reasons, the combination of Bateman, Sato and Yamada fails to teach or suggest all of the limitations that are included in the following language of claim 15:

...providing notification that the connection between the first device and the pipeline device has been established;  
establishing a wireless network connection between the first device and a second device via the pipeline device, wherein the pipeline device enables communication between the first device and the second device without installation of dedicated software on the pipeline device or the second device for enabling said communication, wherein said first device is preconfigured to establish the wireless network connection with the second device via the pipeline device upon establishing the connection with the pipeline device;  
upon establishing the wireless network connection between the first device and the second device, automatically providing notification of the establishment of connectivity between said first device and said second device, enabling immediate automatic initiation of a transfer of information from said first device to said second device through said pipeline device ...

Therefore, applicants respectfully assert that claim 15 and its associated dependent claims are in a condition for allowance, and request that the Examiner remove his rejection under 35 U.S.C. § 103(a).

Claims 29-30

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bateman in view of Yamada and further in view of Terakado.

As amended, claim 29 recites:

A method facilitating transfer of information from a data capture device to a remote host device, the method comprising:  
upon establishing a wireless network connection between a data capture device and a remote host device that is capable of communicating with said data capture device, automatically verifying that the wireless network connection has been established between said data capture device and said remote host device and automatically initiating an immediate transfer of information from said data capture device;  
automatically providing notification that said transfer of information is in process;  
automatically providing notification of successful completion of said transfer of information by one of illumination or extinguishing of a light on said data capture device; and  
**automatically deleting said information from said data capture device upon successful completion of said transfer.**

(emphasis added).

Bateman teaches that information is deleted when a push button delete operation is initiated by a user. (Bateman, par. 26, lines 10-14). However, Bateman does not teach automatically deleting information upon completion of transfer. Nor do Sato or Yamada teach such a limitation. Accordingly, applicants respectfully submit that claim 29, and its corresponding dependent claims, is patentable over the combination of Bateman, Sato and Yamada.



### **Conclusion**

Accordingly, applicants respectfully request the withdrawal of the rejections and submits that pending claims 1-7, 10-16, 18-26, 29 and 30 are in condition for allowance. Applicants respectfully request reconsideration of the application and allowance of the pending claims.

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Benjamin Kimes at (408) 720-8300.

### **Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 022666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such extension.

Respectfully submitted,

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Dated: June 2, 2008

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